

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAYSON PETER COSTA,

Debtor.

HARRINGTON AUTOMOTIVE, INC., D/B/A  
LODI CDJR,

Garnishee.

Case No. 1:24-MC-00018-NODJ-SKO

**FINAL ORDER OF CONTINUING  
GARNISHMENT**

Criminal Case No. 1:11-CR-00026-LJO

On February 7, 2024, the United States filed an Application for Writ of Continuing Garnishment against twenty-five percent (25%) of Jayson Peter Costa's ("Debtor") non-exempt disposable earnings. ECF 1. The Clerk of the Court issued the Writ and Clerk's Notice to Debtor. ECFs 3 and 4. The United States served the Writ and related documents on Harrington Automotive, Inc., dba Lodi CDJR ("Garnishee") and Debtor. ECFs 2 and 6.

On February 8, 2024, Garnishee served its Acknowledgment of Service and Answer of Garnishee on Debtor and the United States ("Answer"). ECF 5. In its Answer, Garnishee stated that Debtor is an employee of Garnishee and pays earnings to Debtor. ECF 5. Debtor did not file a claim of

1 exemption to the proposed garnishment or request a hearing, did not object to Garnishee's Answer, and  
2 did not otherwise object to the United States' garnishment action.

3 Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 302, on March 15, 2024, the Magistrate Judge  
4 issued findings and recommendations that recommended that the United States' request for final order of  
5 garnishment be granted and ordered that any objections were due within 14 days after service. ECF 9.  
6 The United States served the findings and recommendations on Debtor on March 19, 2024. ECF 10.  
7 Debtor did not object and the time to do so has passed.

8 In accordance with 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the  
9 case. Having carefully reviewed the file, the Court concludes that the Magistrate Judge's findings and  
10 recommendations are supported by the record and by proper analysis.

11 Accordingly, IT IS HEREBY ORDERED THAT:

12 1. The Findings and Recommendations for Final Order of Continuing Garnishment (ECF 9)  
13 are ADOPTED IN FULL;

14 2. Garnishee Harrington Automotive, Inc., D/B/A Lodi CDJR is directed to pay the Clerk of  
15 the United States District Court twenty-five percent (25%) of Jayson Peter Costa's ongoing and non-  
16 exempt disposable earnings, including, but not limited to wages, earnings, commissions, and bonuses;

17 3. Garnishee Harrington Automotive, Inc., D/B/A Lodi CDJR is directed to pay the Clerk of  
18 the United States District Court the amount of non-exempt disposable earnings, including, but not  
19 limited to wages, earnings, commissions, and bonuses, already withheld as a result of the writ, within  
20 fifteen (15) days of this Final Order of Garnishment. Payment shall be made in the form of a check,  
21 money order, or company draft, made payable to the "Clerk of the Court" and delivered to:

22 Office of the Clerk  
23 501 I St., Rm. 4-200  
Sacramento, CA 95814

24 The criminal docket number (1:11-CR-00026-LJO) shall be stated on the payment instrument;

25 4. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the  
26 case, if necessary; and

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1           5.       The garnishment shall terminate when (1) the United States seeks to terminate the writ or  
2 (2) when the judgment amount is fully satisfied.

3           IT IS SO ORDERED.

4 DATED: April 8, 2024.

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8 CHIEF UNITED STATES DISTRICT JUDGE  
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